

Applicant: Cesur Celik.
Application No.: 10/826,681
Examiner: N. Mai

Remarks

Claims 1-7, 12, 14, and 18-20 are presented for the Examiner's review and consideration. Claims 1 and 14 have been amended and claims 13 and 15 have been cancelled. Applicant believes the claim amendments, cancellations, and accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

Election

During a telephone conversation on March 2, 2005 the Examiner has requested pursuant to 35 USC 121 restriction of the above-identified application to one of either species directed to a) nickel (Ni) based metal alloy and a b) copper (Cu) based metal alloy. Responsive to the requirement for restriction, Applicant reaffirms the election to prosecute the invention of species a) directed to a nickel (Ni) based metal alloy. As a result, claims 8 through 11, 16 and 17 have been withdrawn.

Claim Rejections

The claims have been amended in light of the official action and to more particularly claim what the Applicant believes is his invention. In particular Claim 1 has been amended to claim a base metal alloy powder comprising an alloy including at least two alloying elements selected from the group of Ni, Cu, Cr, Sn, Mn, Co and W wherein when present said elements are present in the following amounts 1 to 99% by weight Ni, 1 to 99% by weight Cu, 6 to 60% by weight Cr, 6 to 15% by weight Sn, 6 to 15% by weight Mn, 6 to 15% by weight Co, and 6 to 15% by weight W; *wherein said powder comprises particles which are substantially spherical and comprise an average particle size from about 25nm to about 700nm*. Support for this amendment can be found in claims 13 and 15 as originally filed. No new subject matter has been added by the amendment.

The Examiner has rejected claims 1, 18, 19 and 20 on the grounds that they are anticipated by JP 11124606A and therefore not in conformance with 35 USC §102. According to the Examiner, JP 11124606A discloses a nickel copper alloy powder containing 5-60% copper

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and having a mean particle diameter of 0.1 to 5 microns. Applicant submits that the claims as amended overcome this objection.

Referring to a subsequent abstract for JP 11124606A provided herewith, applicant submits that the preferred method of obtaining the powder which includes reducing metal salts in a hydrogen atmosphere as well as roasting at high temperatures causes particles to form through crystalline growth and agglomeration. Applicant submits that the resultant particles would not be substantially spherical as claimed in Claim 1 of the present invention.

As a result, Applicant submits that JP 11124606A does not teach base metal alloy powders comprising particles which are substantially spherical. In light of the above, Applicant respectfully submits that claim 1 as amended and claim 20 are not anticipated by JP 11124606A. Additionally, Applicant submits that as claims 18 and 19 depend from a non-anticipated claim, they, too, are not anticipated at least for the same reasons.

The Examiner has rejected claims 1 through 5, 12, 15, 18 and 19 on the grounds that they are anticipated by US 3,502,463 by Holtz, Jr., and therefore not in conformance with 35 USC §102. Applicant submits that claim 1 as amended overcomes these objections.

The powders of Holtz are relatively large, that is the majority being between 177 microns (80 mesh) and 44 microns (325 mesh), with a percentage being smaller than 44 microns. Nowhere in Holtz is reference made to powders within the range claimed at claim 1, i.e. between 25nm and 700nm.

As a result, Applicant respectfully submits that Claim 1 as amended is not anticipated by Holtz. As claims 2 through 5, 12, 15, 18 and 19 depend from a non-anticipated claim, it is submitted that they, too, are not anticipated by Holtz at least for the same reasons.

The Examiner has rejected claims 12 and 14 on the grounds that they are obvious over JP 11124606A and therefore that they do not conform to 35 USC §103(a). However, as claims 12 and 14 now depend from allowable claim 1, Applicant submits that they, too, are allowable.

The Examiner has rejected claims 2, 3, 5, 6 and 7 on the grounds that they are obvious over JP 11124606A in view of JP 411067588 and therefore that they do not conform to 35 USC §103(a). Applicant submits that, as claims 2, 3, 5, 6 and 7 now depend from allowable claim 1, they are also allowable at least for the same reasons.

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The Examiner has rejected claims 1, 12-14, 18-19 and 20 on the grounds that they are obvious over JP 11092807A and therefore that they do not conform to 35 USC §103(a). Applicant submits that the claims as amended overcome this objection.

According to the Examiner, JP 11092807A discloses a nickel tungsten alloy powder containing 5-40% tungsten and having a mean particle diameter of 0.1 to 1 microns. Referring to a subsequent abstract for JP 11092807A provided herewith, Applicant submits that the preferred method of obtaining the powder which includes reducing metal salts in a hydrogen atmosphere as well as roasting at high temperatures causes particles to form through crystalline growth and agglomeration. Applicant submits that the resultant particles would not be substantially spherical as claimed in Claim 1 of the present invention.

As a result, Applicant submits that JP 11092807A does not teach base metal alloy powders comprising particles which are substantially spherical. In light of the above, Applicant respectfully submits that claim 1 as amended and claim 20 are not anticipated by JP 11092807A. Additionally, Applicant submits that as claims 12-14, 18 and 19 depend from an allowable claim, they, too, are allowable.

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Conclusion

In light of the foregoing remarks, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

A fee of \$60.00 under 37. C.F.R 1.17(a) (1) of a one month extension of time is believed to be due and a Fee Transmittal Sheet with payment by credit card is submitted concurrently herewith. However, please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7012-X04-002).

Respectfully submitted,



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NICKEL-TUNGSTEN ALLOY POWDER AND ITS PRODUCTION (JP11092807A2)

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(Derwent Record)

Country: JP Japan

Kind: A

Inventor: ABE ISAO:

Assignee: SUMITOMO METAL MINING CO LTD
[News, Profiles, Stocks and More about this company](#)

Published / Filed: 1999-04-06 / 1997-09-19

Application Number: JP1997000254420

IPC Code: B22F 9/22; B22F 1/00;

Priority Number: 1997-09-19 JP1997000254420

Abstract: PROBLEM TO BE SOLVED: To produce nickel-tungsten alloy powder suitable for the electrode material for the inner electrode of a laminated ceramic capacitor and to provide a method for producing the same.

SOLUTION: This nickel-tungsten alloy powder is the one in which the content of tungsten is regulated to, by weight, 5 to 40%, and the average particle size is regulated to 0.1 to 1 μm . The alloy powder can be obtd. by mixing an alkaline-earth metal salt, a nickel salt and a tungsten salt, executing reductive calcining in an atmosphere contg. hydrogen, and, after the calcining, melting away the alkaline-earth metal salt with acid. In the above producing method, the mixing ratio of the alkaline-earth metal salt is preferably regulated to 0.1 to 2 times by the weight ratio to the weight of the nickel-tungsten alloy powder produced after the calcining. Furthermore, as the calcining method, two stage calcining in which, after calcining at 400 to 800°C, furthermore, calcining is executed at 1000 to 1500°C is preferably used.

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Family: None

Other Abstract Info: CHEMABS 130(19)255746S CHEMABS 130(19)255746S

<http://www.delphion.com/details?pn=JP11092807A2>

06/14/2005

NICKEL-COPPER ALLOY POWDER AND ITS MANUFACTURE (JP11124606A2)

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Go to: Derwent

 EmailTitle: **JP11124606A2: NICKEL-COPPER ALLOY POWDER AND ITS MANU**Derwent Title: Nickel-copper alloy powder used as paste material for resistors - contains predefined amount of copper particles of predefined mean particle diameters ([Derwent Record](#))

Country: JP Japan

Kind: A

Inventor: ABE ISAO;

Assignee: SUMITOMO METAL MINING CO LTD
[News, Profiles, Stocks and More about this company](#)

Published / Filed: 1999-05-11 / 1997-10-22

Application Number: JP1997000289780

IPC Code: B22F 9/22; H01C 7/00;

Priority Number: 1997-10-22 JP1997000289780

Abstract: PROBLEM TO BE SOLVED: To provide a nickel-copper alloy powder suitably used for an electrode material for an inner electrode for a multilayer ceramic capacitor, and its manufacture.

SOLUTION: Nickel and copper are alloyed to provide an inexpensive electrical resistance material, that is, this material is alloy powder of nickel and copper and has 5-80 wt.% copper content and 0.1-5 μ m average grain size. This alloy powder is obtained by mixing alkaline earth metal salt, nickel salt, and copper salt, roasting the resultant mixture in a hydrogen-containing atmosphere, and then, after roasting, removing the alkaline earth metal salt by dissolution by acid. In this manufacturing method, it is preferable that the mixing proportion, by weight ratio, of the alkaline earth metal salt is regulated so that its weight becomes 0.1-2 times the weight of the nickel-copper alloy powder formed after roasting, and it is also preferable to perform the roasting in two stages, at a temp. between 400 and 600°C and at a temp. between 800 and 1,300°C.

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Family: None

Other Abstract Info: None

<http://www.delphion.com/details?pn=JP11124606A2>

06/13/2005